

## CONFERENCE COMMITTEE REPORT DIGEST FOR EHB 1448

**Citations Affected:** IC 9-18; IC 10-4-1-29; IC 10-9.

**Synopsis:** State emergency management matters. CONFERENCE COMMITTEE REPORT FOR EHB 1448. Establishes the Indiana emergency management, fire and building services, and public safety training foundation. Establishes the following funds to be administered by the foundation: (1) The emergency management fund to fund projects of the emergency management agency. (2) The fire and building fund to fund projects of the fire and building services department. (3) The emergency medical services fund to pay for emergency medical services projects of the public safety institute. (4) The stewardship fund to pay for promotion of the sale of safety first license plates. Provides that the foundation may acquire personal property to be donated to a unit of local government, the state emergency management agency, the fire and building services department, or the public safety institute. Provides that the foundation may receive donations of real property to be sold on the open market, to the state, or to a unit of local government, the proceeds of which are to be donated to the emergency management fund, the fire and building fund, the emergency medical services fund, or the stewardship fund. Establishes the safety first license plate to be designed as a special group recognition license plate to replace the emergency medical services license plate. Requires annual fees from the license plate to be deposited as follows: (1) 30% of the fees in the emergency management fund. (2) 30% of the fees in the fire and building fund. (3) 30% of the fees in the emergency medical services fund. (4) 10% of the fees in the stewardship fund. Requires the foundation to prepare an annual report before October 1 of each year concerning the foundation's activities for the prior year for the public and the general assembly. Provides that the foundation is exempt from taxes on real and personal property that the foundation acquires or disposes of or as a consequence of the foundation's transactions. Provides that if the foundation is terminated, money in the funds administered by the foundation shall revert to the emergency management contingency fund. Establishes the state disaster relief fund as a nonreverting fund to provide grants to assist counties, cities, and towns in paying for costs resulting from disasters. Provides that the state emergency management agency administers the grant program. Provides that, except in the case of multiple disasters, a county, city, or town is eligible for a grant only if the damage caused to its public facilities exceeds an amount equal to \$1 multiplied by the population of the county, city, or town. (This conference committee report adds the state disaster relief fund.)

**Effective:** July 1, 1999.

Adopted

Rejected

## CONFERENCE COMMITTEE REPORT

**MR. SPEAKER:**

*Your Conference Committee appointed to confer with a like committee from the Senate upon Engrossed Senate Amendments to Engrossed House Bill No. 1448 respectfully reports that said two committees have conferred and agreed as follows to wit:*

that the House recede from its dissent from all Senate amendments and that the House now concur in all Senate amendments to the bill and that the bill be further amended as follows:

- 1 Page 2, between lines 7 and 8, begin a new paragraph and insert:
- 2 "SECTION 2. IC 10-4-1-29 IS ADDED TO THE INDIANA
- 3 CODE AS A NEW SECTION TO READ AS FOLLOWS
- 4 [EFFECTIVE JULY 1, 1999]: Sec. 29. (a) As used in this section,
- 5 "eligible entity" means a county, city, or town.
- 6 (b) As used in this section, "fund" refers to the state disaster
- 7 relief fund established by this section.
- 8 (c) As used in this section, "public facility" means any:
- 9 (1) building or structure;
- 10 (2) bridge, road, highway, or public way;
- 11 (3) park or recreational facility;
- 12 (4) sanitary sewer system or wastewater treatment facility;
- 13 (5) drainage or flood control facility;
- 14 (6) water treatment, water storage, or water distribution
- 15 facility; or
- 16 (7) other improvement or infrastructure;
- 17 owned by, maintained by, or operated by or on behalf of an eligible
- 18 entity.
- 19 (d) The state disaster relief fund is established to provide
- 20 money to assist eligible entities in paying for the costs of damage to
- 21 public facilities resulting from disasters.
- 22 (e) The fund consists of money appropriated by the general
- 23 assembly. The fund shall be administered by the department.
- 24 Expenses of administering the fund shall be paid from money in the

1 fund. The treasurer of state shall invest the money in the fund not  
 2 currently needed to meet the obligations of the fund in the same  
 3 manner as other public funds may be invested. Interest that  
 4 accrues from these investments shall be deposited in the fund.

5 (f) Money in the fund is appropriated to carry out the  
 6 purposes of the fund as provided in this section. Money in the fund  
 7 at the end of a state fiscal year does not revert to the state general  
 8 fund.

9 (g) Subject to the restrictions under this section, the  
 10 department may use money in the fund to make grants to an  
 11 eligible entity that:

- 12 (1) contains territory for which a disaster emergency has
- 13 been declared by the governor;
- 14 (2) has suffered damage to the entity's public facilities
- 15 because of the disaster for which the disaster emergency was
- 16 declared;
- 17 (3) has applied to the department for a grant; and
- 18 (4) complies with all other requirements established by the
- 19 department.

20 (h) Except as provided in subsection (i), the department may  
 21 not make a grant to an eligible entity under this section unless the  
 22 damage to the entity's public facilities caused by the disaster  
 23 exceeds an amount equal to one dollar (\$1) multiplied by the  
 24 population of the entity. A grant to an eligible entity under this  
 25 subsection may not exceed an amount equal to:

- 26 (1) fifty percent (50%); multiplied by
- 27 (2) the result of:
  - 28 (A) the total cost of the damage to the entity's public
  - 29 facilities caused by the disaster; minus
  - 30 (B) an amount equal to one dollar (\$1) multiplied by the
  - 31 population of the entity.

32 (i) If the governor declares more than one (1) disaster  
 33 emergency in the same year for territory in an eligible entity, the  
 34 department may, in addition to a grant under subsection (h), make  
 35 a grant to the entity under this subsection if the total cumulative  
 36 cost of the damage to the entity's public facilities caused by the  
 37 disasters exceeds an amount equal to two dollars (\$2) multiplied by  
 38 the population of the entity. A grant to an eligible entity under this  
 39 subsection may not exceed:

- 40 (1) the product of:
  - 41 (A) fifty percent (50%); multiplied by
  - 42 (B) the total cumulative cost of the damage to the
  - 43 entity's public facilities caused by all disasters in the
  - 44 year; minus
- 45 (2) any grants previously made under subsection (h) to the
- 46 entity during the year.

47 (j) To qualify for a grant under this section, the executive of an  
 48 eligible entity must apply to the department on forms provided by  
 49 the department. The application must include the following:

- 50 (1) A description and estimated cost of the damage caused by
- 51 the disaster to the entity's public facilities.

- 1           **(2) The manner in which the entity intends to use the grant**  
2           **money.**  
3           **(3) Any other information required by the department.**  
4           **(k) The fiscal officer of an entity receiving a grant under this**  
5           **section shall:**  
6               **(1) establish a separate account within the entity's general**  
7               **fund; and**  
8               **(2) deposit any grant proceeds received under this section in**  
9               **the account.**  
10          **The state board of tax commissioners may not reduce an entity's**  
11          **maximum or actual property tax levy under IC 6-1.1-18.5 on**  
12          **account of grant money deposited in the account.**  
13          **(l) The department shall adopt rules under IC 4-22-2 to carry**  
14          **out this section."**  
15          Renumber all SECTIONS consecutively.  
              (Reference is to EHB as printed March 19, 1999.)

**Conference Committee Report**  
**on**  
**Engrossed House Bill 1448**

**S**igned by:

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Senator Wyss

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Representative Tinch

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Senator Blade

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Representative Ruppel

**Senate Conferees**

**House Conferees**